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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

SHARON DIEU-HIEN TRAN, ) Case No. SACV 11-01393 DDP (RZx)  
Plaintiff, )  
v. ) **ORDER GRANTING DEFENDANT'S MOTION**  
US BANK NA., as Trustee for ) **TO DISMISS**  
the TRUCAP REO PASS THROUGH )  
TRUST, ) [Dkt. No. 23]  
Defendants. )

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Presently before the court is Defendant's Motion to Dismiss Complaint. Because Plaintiff has not filed an opposition, the court GRANTS the motion.

Central District of California Local Rule 7-9 requires an opposing party to file an opposition to any motion at least twenty-one (21) days prior to the date designated for hearing the motion. C.D. CAL. L.R. 7-9. Additionally, Local Rule 7-12 provides that "[t]he failure to file any required paper, or the failure to file it within the deadline, may be deemed consent to the granting or denial of the motion." C.D. CAL. L.R. 7-12.

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1 The hearing on Defendant's motion was set for January 9, 2012.  
2 Plaintiff's opposition was therefore due by December 19, 2011. As  
3 of the date of this Order, Plaintiff has not filed an opposition,  
4 or any other filing that could be construed as a request for a  
5 continuance. Accordingly, the court deems Plaintiff's failure to  
6 oppose as consent to granting the motion to dismiss, and GRANTS the  
7 motion.

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9 IT IS SO ORDERED.

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12 Dated: January 3, 2012

  
DEAN D. PREGERSON  
United States District Judge